

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

MACK TRIMBLE, JR.,

Plaintiff.

VS.

CAROLYN P. MARSHALL, Clerk of
Superior Court, *et al.*,

Defendants.

NO. 7:11-CV-6 (HL)

ORDER

On July 11, 2011, the United States Court of Appeals for the Eleventh Circuit denied as frivolous Plaintiff **MACK TRIMBLE, JR.’S** motion for leave to proceed on appeal *in forma pauperis* (Doc. 18). The Circuit further stated: “However, because Trimble is not a prisoner, and is therefore not subject to the fee requirements of the Prison Litigation Reform Act, this Court orders that the district court’s March 30, 2011 order, assessing Trimble with the \$455.00 appellate filing fee, be VACATED.”¹

In accordance with the Eleventh Circuit’s opinion, the Clerk of Court is **DIRECTED** to send a copy of this Order to the Colquitt County Jail, where Plaintiff has been confined as a pretrial detainee since February 28, 2011, so that jail officials will not withhold from Plaintiff’s account any funds for payment of the appellate filing fee.

¹ ***But see*** 28 U.S.C. § 1915(h) (defining “prisoner” to include “any person ...detained in any facility who is accused of ... violations of criminal law”).

SO ORDERED, this 18th day of July, 2011.

s/ Hugh Lawson
HUGH LAWSON
UNITED STATES DISTRICT JUDGE

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